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EXAMINER
BOYCE, ANDRE D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 April 2011</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>78-80,84,85,87-107,111,112 and 114-142</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>78-80,84,85,87-107,111,112 and 114-142</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This Final office action is in response to Applicant's amendment filed 4/6/11.

Claims 78, 105 and 132-142 have been amended, while claims 83 and 110 have

been canceled. Claims 78-80, 84, 85, 87-107, 111, 112 and 114-142 are pending.

2.   The previously pending objection to claims 133-142 has been withdrawn.

3.   Applicant's arguments filed 4/6/11 have been fully considered and are mostly

unpersuasive, and any new grounds of rejection has been necessitated by

Applicant's amendments to the claims.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   Claims 132-142 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

        The claim limitations "team development computing means for," "strategy

situation analysis computing means for," "data request and reception computing

means for," etc., use the phrase "means for" or "step for", but are modified by some

structure, material, or acts recited in the claim (i.e., computing).

It is unclear whether the recited structure, material, or acts are sufficient for performing the claimed function which would preclude application of 35 U.S.C. 112, sixth paragraph, because the means for language is modified by sufficient structure (i.e., computing).

If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may amend the claim so that the phrase "means for" or "step for" or the non-structural term is clearly **not** modified by sufficient structure, material, or acts for performing the claimed function, or present a sufficient showing that the claim limitation is written as a function to be performed and the claim does **not** recite sufficient structure, material, or acts for performing the claimed function.

If applicant does **not** wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may amend the claim so that it will clearly not invoke 35 U.S.C. 112, sixth paragraph, or present a sufficient showing that the claim recites sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112, sixth paragraph.

Claims 133-142 are rejected based upon the same rationale, since they depend therefrom.

Claim Rejections - 35 USC § 103

6.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7.   Claims 78-80, 84, 85, 87-97, 99-107, 111, 112, 114-124 and 126-142 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Gronau et al (US

2003/0069869), in view of Sanders (USPN 6,411,936), in view of Zarb (US

2004/0039619).

As per claim 78, Gronau et al disclose an iterative computer-implemented

method for creating and evaluating strategies (i.e., development of a strategic plan

through execution of a sequence of steps using a computer processor, ¶ 0014),

comprising the steps of: providing a plurality of modules for the creation and

evaluation of strategies (i.e., block diagram comprised of modules, figure 1), each

strategy representing a set of rules specifying a course of action to take for a

decision out of one or more decisions (i.e., a strategy for achieving each objective is

developed and broken into activates or tasks and resource requirements, ¶ 0075),

the modules comprising: a team development module for developing a list of

components of a strategy modeling team (i.e., strategy for achieving each objective

is developed and broken into activates or tasks and resource requirements, ¶ 0075);

a strategy situation analysis module for framing a decision situation (i.e., applying

the computer aided strategic planning to preset rules and values to articulate a

vision, develop goals in multiple domains and define objectives, ¶ 0020), the framing

comprising identifying parameters of the decision (i.e., goals relative to application

specific domains, including objectives for each goal and action plans for each

objective, ¶ 0069; a data request and reception module for designing and executing

logistics of specifying, acquiring, and loading data required for the decision and

modeling of the strategy, the data request and reception module further constructing
a data dictionary characterizing received data (i.e., rules based programming used
by the expert system, including the data which causes the rule to be applicable, ¶
0064, wherein resources required can be quantitative or qualitative, and the user is
instructed, through data input limitations, to use the same categories used in the
profile builder and the creation of the resources (8) database, ¶ 0076); a data
transformation and cleansing module for verifying the data, and transforming the
data into a form that is used to build quantitative models used to develop the
strategies (i.e., rules based programming used by the expert system, including the
data which causes the rule to be applicable, ¶ 0064); a decision model quantification
module for encoding information into a decision model (i.e., rules, policies, axioms,
values, priorities 3, figure 1); a strategy creation module for determining strategies
that a client can test (i.e., goals 5, objectives 6 and action plans 7, figure 1); and a
strategy testing module for testing strategies to guide refinement of strategies and
refinement of a decision model and to select a best strategy for deployment (i.e.,
measurement and assessment 15, figure 1); wherein each of said modules interacts
with an expert task manager, wherein said expert task manager provides expert
knowledge about strategy modeling processes to the modules (i.e., computer aided
strategic planning expert system uses knowledge an difference procedures of an
expert strategic planner, ¶ 0054), and executing the modules using at least one data
processor forming part of a computer system (¶ 0014).

Gronau et al does not disclose a decision key and intermediate variable creation module for computing intermediate variables from the data, each intermediate variable of the intermediate variables encapsulating dependent variables, independent variables and decision keys, each intermediate variable containing a model that maps values of nodes it depends on to values it can take on, each intermediate variable encapsulating a predictive model that with a dependent variable and independent variables.

Sanders discloses future values of variables can be determined by some existing enterprise models which include flow relationships, causal relationships, compositional relationships and productivity relationships besides reasoning and reconciliation to create a realistic model of an enterprise (column 5, lines 36-40), including creating a value enhancement model of the enterprise based on planning loop structures, the planning loop structures each being a dynamic frame-based model, continuously updating and refining the value enhancement model of the enterprise, and providing a set of causals, logical explanations, and reconciliation rules to cross-link types of enterprise activities to causals, functions, and solutions, and accepting input pertaining to an account to determine key solutions for value enhancement as relevant to the account, applying the account specific information to the set of reconciliation rules of linkages between types, causals, functions and solutions, and providing a set of variable solutions customized for at least one of specific target customer accounts (column 7, lines 41-65).

Neither Gronau et al nor Sanders disclose a data exploration module for determining the effectiveness of each intermediate variable of the intermediate variables and each decision key of the decision keys; a decision model structuring module for formalizing relationships between the one or more decisions, the decision keys, the intermediate variables, value variables representing a function to be maximized, and constraint variables representing limits on the strategies, to obtain a decision model with a specific structure.

Zarb discloses selecting a set of predetermined or predefined formulas and/or attributes (i.e., variables) for use in the analysis of a strategy, role, process or asset. Creating a new benchmarking mode may include establishing one or more formulas and/or attributes for use in the analysis. Once a new benchmarking mode is created, it can be added to the library for later use or selection. A default benchmarking mode may include a set of predetermined or predefined formulas (i.e., functions) and/or attributes and may be one of the benchmarking modes included in the library of benchmarking modes (¶ 0068). In addition, Zarb discloses identification of a process during the step 126 may include gathering additional information regarding attributes of the process such as, for example: (1) the number of people for or within the role that perform the process; (2) the number of people it takes to perform one instance of the process. These attributes provide the needed variables to understand productivity and forecast throughput improvements (¶ 0082).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a decision key and intermediate variable creation

module for computing intermediate variables from the data, each intermediate variable of the intermediate variables encapsulating dependent variables, independent variables and decision keys, each intermediate variable containing a model that maps values of nodes it depends on to values it can take on, each intermediate variable encapsulating a predictive model that with a dependent variable and independent variables; a data exploration module for determining the effectiveness of each intermediate variable of the intermediate variables and each decision key of the decision keys; a decision model structuring module for formalizing relationships between the one or more decisions, the decision keys, the intermediate variables, value variables representing a function to be maximized, and constraint variables representing limits on the strategies, to obtain a decision model with a specific structure in Gronau et al, as seen in Sanders and Zarb, respectively, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 79, Gronau et al disclose said strategy modeling team executing analysis to allow a leader of said strategy modeling team to convince a decision maker to implement a strategy favored by said analysis (i.e., resource enablers allowing strategy to move forward, figure 1).

As per claim 80, Gronau et al disclose identifying the values of the organization; and ensuring that the right decisions and strategies are considered in an analysis

(i.e., applying the computer aided strategic planning to preset rules and values to articulate a vision, develop goals in multiple domains and define objectives, ¶ 0020).

As per claim 84, Gronau et al disclose providing insight into said data by determining which decision keys are most relevant for predicting said intermediate variables; and gaining insight into a customer's business and business processes (i.e., rules, policies, axioms, values, priorities 3, figure 1).

As per claim 85, Gronau et al disclose formalizing relationships between decisions, decision keys, intermediate variables, and value by connecting such in a model (i.e., rules, policies, axioms, values, priorities 3, figure 1).

As per claim 87, Gronau et al disclose applying optimization methods to a decision model to determine an optimal strategy for a set of cases (i.e., rules, policies, axioms, values, priorities 3, figure 1).

As per claim 88, Gronau et al disclose evolving using results from a decision model being enriched and from strategies tested (i.e., measurement and assessment 15, figure 1).

As per claim 89, Gronau et al disclose providing means for evaluating each strategy based on simulation; and providing means for evaluating a strategy in the field (i.e., measurement and assessment 15, figure 1).

As per claim 90, Gronau et al disclose beginning with a simplified value model having less than eight drivers (i.e., applying the computer aided strategic planning to preset rules and values to 1) articulate a vision, 2) develop goals in multiple domains, 3) define objectives, 4) selection of strategies, and 5) identification of

action items, ¶ 0020); wherein each of said drivers is modeled crudely by one or two decision keys (i.e., preset rules and drivers); initially including no constraints; using said simplified value model for beginning said strategy creation module and said strategy testing module, said strategy creation module and said strategy testing module indicating areas of said decision model where refinement adds particular value; and after interaction between said decision model and strategies is acceptable, iteratively adding details reflecting limitations of a business process (i.e., as new information is entered, the computer aided strategic planning program automatically updates the plan across domains, ¶ 0020).

As per claim 91, Gronau et al disclose a team creation component and a decision quality component (i.e., resources 8 based on constraints and enablers, figure 1)

As per claim 92, Gronau et al disclose providing a decision quality process for enabling an organization to systematically identify, understand, and track views of quality of decision making (i.e., computer aided strategic planning expert system uses knowledge and inference procedures to assist the user, including monitoring, control and instruction, ¶¶ 0054-0063).

As per claim 93, Gronau et al disclose providing any of six dimensions associated with any of six links in a decision quality chain, said any of six links comprising: appropriate frame; creative-feasible alternatives; meaningful-reliable information; clear values and tradeoffs; logically-correct reasoning; and commitment to action (i.e., development of action plan, ¶ 0069); wherein said chain supports an organization's value (i.e., definition of values applied to the planning, ¶ 0068).

As per claim 94, Gronau et al disclose framing a problem by: identifying issues; developing a decision hierarchy; understanding an organization's values; and brainstorming and clarifying alternatives (i.e., development of a profile to define values, priorities, policies and rules, ¶ 0068); further understanding said organization's values by: developing value metrics and prototyping metric results (i.e., development of a profile to define values, priorities, policies and rules, which are added to the factory established rules and axioms, ¶ 0068); and planning for data acquisition by: identifying intermediate variables; and developing a plan for assessment (i.e., diagnosis and prescription, ¶¶ 0054-63); wherein for clarification: optionally returning to said framing a problem step after said further understanding said organization's values step; and optionally returning to said further understanding said organization's values step after said planning for data acquisition step (i.e., as new information is entered, the computer aided strategic planning program automatically updates the plan across domains, ¶ 0020).

As per claim 95, Gronau et al disclose developing data parameters, including: determining data elements; designing a performance period; determining data records; and constructing an initial data dictionary; determining transfer parameters, including: determining transfer format; and determining transfer method; preparing data, including: assembling transfer data; and transferring data; and loading data on a target system (i.e., embedded tools (16) resident in the program that include calculators, accessories, planners, questionnaires and links both to external tools (22) for export/import of data and to the internet for available information, ¶ 0070).

As per claim 96, Gronau et al disclose validating original data sets, comprising: investigating original data sets; and cleaning original data sets; creating analysis data sets, comprising; and transforming data; and computing additional variables; validating analysis data sets, comprising; transforming data; and computing additional variables; wherein while creating analysis data sets and problems are uncovered in original data sets, then original data sets are further cleaned and retransformed; and wherein while validating analysis data sets and problems in said transformation, or in original data sets, are uncovered, then such tasks are revisited (i.e., rules, policies, axioms, values, priorities 3 applied to data, figure 1).

As per claim 97, Gronau et al disclose first creating dependent variables useful for decision models, comprising: identifying concepts; triaging concepts; and defining dependent variables; and creating independent variables useful for decision models, comprising identifying concepts; triaging concepts; and defining dependent variables; wherein intermediate variables depend on decision keys, other intermediate variables, or decisions; and wherein each intermediate variable encapsulates a predictive model with a dependent variable and independent variables (i.e., rules, policies, axioms, values, priorities 3 applied to data, figure 1).

As per claim 99, Gronau et al disclose conceptualizing by selecting intermediate variables that drive value; building coarse models of intermediate variables; and verifying constraints; and drawing a decision model structure; wherein said conceptualizing is iteratively available for use after said drawing (i.e., rules, policies, axioms, values, priorities 3 applied to data, figure 1).

As per claim 100, Gronau et al disclose modeling intermediate variables; filling in nodes with models, functions, and/or constants; and validating said decision model; wherein said modeling step is iteratively available from said filling in step, and wherein said filling in step is iteratively available from said validating said decision model step (i.e., rules, policies, axioms, values, priorities 3 applied to data, figure 1).

As per claim 101, Gronau et al disclose the step of providing a score tuner component for automating decision model updating and reporting (i.e., as new information is entered, the computer aided strategic planning program automatically updates the plan across domains, ¶ 0020, including measurement and assessment and reports generation, ¶¶ 0030-31), said score tuner component comprising any of: data awareness capability; triggering rules (i.e., preset rules and values); model history retention; self-guided model development; connection to a decision engine; and execution and analytic audit trails; wherein when a tuning run is triggered, results are reviewed and either accepted and an update is deployed, or rejected (i.e., as new information is entered, the computer aided strategic planning program automatically updates the plan across domains, ¶ 0020, based upon the preset rules and axioms).

As per claim 102, Gronau et al disclose performing model optimization, comprising: identifying metric variables; determining optimization parameters; and running optimization; analyzing optimization results, comprising viewing optimization results; and performing sensitivity analysis on constraints; and developing strategies, comprising: building strategies; and refining strategies; wherein the performing

model optimization step and the analyzing optimization results step are available to be used iteratively from either the analyzing optimization results step or the developing strategies step (i.e., measurement and assessment 15, figure 1).

As per claim 103, Gronau et al disclose providing a non-linear constrained optimization tool for improving test designs and optimizing strategies (i.e., computer aided strategic planning program, ¶ 0020).

As per claim 104, Gronau et al disclose testing strategies, comprising: performing strategy simulation; and performing field testing; evaluating strategies; and performing active data collection; wherein said testing strategies step is available for being used iteratively from said evaluating strategies step (i.e., measurement and assessment 15, figure 1).

Claims 105-107, 111-112, 114-124 and 126-131 are rejected based upon the same rationale as the rejections of claims 78-80, 84-85, 87-97 and 99-104, respectively, since they are the apparatus claims corresponding to the method claims.

Claim 132 is rejected based upon the same rationale as the rejection of claim 1, since it is the system claim corresponding to the method claim.

As per claim 133, Gronau et al disclose the team development module outputs the list comprising the components of the strategy modeling team and passes control to the strategy situation analysis module (i.e., computer assisted strategic planning application (CASP) automatically updates the plan across the domains, asking questions of the user and conveying impact information through its reporting

function. A time-phased list of tasks and progress measurements continually

encourage the user to stay on track and on target, ¶ 0052)

As per claim 134, Gronau et al disclose the strategy situation analysis module

outputs a hierarchy of the decisions and passes control to the data request and

reception module (i.e., computer assisted strategic planning application (CASP)

automatically updates the plan across the domains, asking questions of the user and

conveying impact information through its reporting function. A time-phased list of

tasks and progress measurements continually encourage the user to stay on track

and on target, ¶ 0052).

As per claim 135, Gronau et al disclose the data request and reception module

outputs a communication reporting a status of a request for the data and passes

control to the data transformation and cleansing module (i.e., computer assisted

strategic planning application (CASP) automatically updates the plan across the

domains, asking questions of the user and conveying impact information through its

reporting function. A time-phased list of tasks and progress measurements

continually encourage the user to stay on track and on target, ¶ 0052).

As per claim 136, Gronau et al disclose the data transformation and cleansing

module outputs a report on the data that is transformed into a form that is used to

build quantitative models used to develop the strategies and passes control to the

decision key and intermediate variable creation module (i.e., computer assisted

strategic planning application (CASP) automatically updates the plan across the

domains, asking questions of the user and conveying impact information through its

reporting function. A time-phased list of tasks and progress measurements continually encourage the user to stay on track and on target, ¶ 0052).

As per claim 137, Gronau et al disclose the decision key and intermediate variable creation module outputs a list of the intermediate variables and passes control to the data exploration module (i.e., computer assisted strategic planning application (CASP) automatically updates the plan across the domains, asking questions of the user and conveying impact information through its reporting function. A time-phased list of tasks and progress measurements continually encourage the user to stay on track and on target, ¶ 0052).

As per claim 138, Gronau et al disclose the data exploration module outputs a report regarding the usefulness of the decision keys for predicting the intermediate variables that are uncertain, the data exploration module further passing control to the decision model structuring module (i.e., computer assisted strategic planning application (CASP) automatically updates the plan across the domains, asking questions of the user and conveying impact information through its reporting function. A time-phased list of tasks and progress measurements continually encourage the user to stay on track and on target, ¶ 0052).

As per claim 139, Gronau et al disclose the decision model structuring module outputs a report on the structure of the decision model and passes control to the decision model quantification module (i.e., computer assisted strategic planning application (CASP) automatically updates the plan across the domains, asking questions of the user and conveying impact information through its reporting

function. A time-phased list of tasks and progress measurements continually

encourage the user to stay on track and on target, ¶ 0052).

As per claim 140, Gronau et al disclose the decision model quantification module

outputs a report on the structure of the decision model and passes control to the

strategy creation module (i.e., computer assisted strategic planning application

(CASP) automatically updates the plan across the domains, asking questions of the

user and conveying impact information through its reporting function. A time-phased

list of tasks and progress measurements continually encourage the user to stay on

track and on target, ¶ 0052).

As per claim 141, Gronau et al disclose the strategy creation module outputs a

report on the strategies considered for the decision model and passes control to the

strategy testing module (i.e., computer assisted strategic planning application

(CASP) automatically updates the plan across the domains, asking questions of the

user and conveying impact information through its reporting function. A time-phased

list of tasks and progress measurements continually encourage the user to stay on

track and on target, ¶ 0052).

As per claim 142, Gronau et al disclose the strategy testing module outputs a

report that compares the strategies considered for the decision model to select the

best strategy out of the considered strategies (i.e., computer assisted strategic

planning application (CASP) automatically updates the plan across the domains,

asking questions of the user and conveying impact information through its reporting

function. A time-phased list of tasks and progress measurements continually

encourage the user to stay on track and on target, ¶ 0052).

8.   Claims 98 and 125 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Gronau et al (US 2003/0069869), in view of Sanders (USPN 6,411,936), in

view of Zarb (US 2004/0039619), in further view of Zagotta et al (US 2002/0147626).

        As per claim 98, neither Gronau et al nor Zarb disclose applying basic statistical

analysis, comprising: analyzing continuous variables; and analyzing discrete

variables; applying variable reduction techniques, comprising: applying human and

business judgment; and applying computational methods; applying advanced

statistical analysis; verifying results; and presenting said results. Zagotta et al

disclose key measures 455 including facts and statistics related to the data and

strategy (¶ 0056). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to include applying basic statistical analysis in Gronau

et al, as seen in Zagotta et al, since the claimed invention is merely a combination of

old elements, and in the combination each element merely would have performed

the same function as it did separately, and one of ordinary skill in the art would have

recognized that the results of the combination were predictable.

        Claim 125 is rejected based upon the same rationale as the rejection of claim 98,

since it is the apparatus claim corresponding to the method claim.

Response to Arguments

9.   In the Remarks, Applicant argues Gronau fails to disclose strategies that
represent a set of rules specifying a course of action to take for a decision out of one
or more decisions, and a data request and reception module that includes a data
dictionary. The Examiner respectfully disagrees. Gronau discloses a strategy for
achieving each objective is developed and broken into activates or tasks and
resource requirements, ¶ 0075, wherein the user defines values, priorities, policies
and rules applied to the planning, and added to the factory established rules and
axioms (¶ 0068), thus indeed disclosing strategies that represent a set of rules
specifying a course of action to take for a decision out of one or more decisions.

        In addition, Gronau discloses rules based programming used by the expert
system, including the data which causes the rule to be applicable, ¶ 0064, wherein
resources required can be quantitative or qualitative, and the user is instructed,
through data input limitations, to use the same categories used in the profile builder
and the creation of the resources (8) database, ¶ 0076. As such the data input
limitations indeed define a data dictionary.

        Applicant's amended claim language as been addressed by the addition of
Sanders, as discussed in the rejection.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in
this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and

any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing

date of the advisory action. In no event, however, will the statutory period for reply

expire later than SIX MONTHS from the date of this final action.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ANDRE BOYCE whose telephone number is

(571)272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

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assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-

272-1000.

/Andre Boyce/
Primary Examiner, Art Unit 3623
June 10, 2011